

## MINUTES

### UTAH PROFESSIONAL COUNSELORS LICENSING BOARD MEETING

May 24, 2006

Room 428 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building

**CONVENED:** 9:14 A.M.

**ADJOURNED:** 1:43 P.M.

**Bureau Manager:**  
**Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

Gloria Miley  
Marc M. Searle  
Dean Workman  
Russell C. Gaede, PsyD  
Linda S. Protzman, Chairperson

**Guests:**

Craig Jackson, Division Director

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

##### **ADMINISTRATIVE BUSINESS:**

Acting Chairperson

Marc Searle volunteered to chair the meeting until Linda Protzman, Chairperson, arrives. Ms. Protzman was unable to be here at 9:00 am.

Read and approve the March 1, 2006 Minutes.

Dr. Gaede made a motion to approve the minutes as read. Ms. Miley seconded the motion. **The Board vote was unanimous.**

Read and approve the February 28, 2006  
Mental Health Therapy Boards and Substance  
Abuse Board Minutes

Dr. Gaede made a motion to approve the minutes as read. Mr. Searle seconded the motion. **The Board vote was unanimous.**

##### **BUSINESS FROM PREVIOUS MEETING:**

**9:17 A.M.**

Linda Protzman arrived at the Board meeting. Marc Searle was requested to continue as chairperson for this meeting.

## **APPOINTMENTS:**

**9:30 A.M.**

Daniel Johnston, Probationary Interview

Mr. Johnston met for his probationary interview.

Mr. Workman conducted the interview.

Ms. Taxin notified Mr. Johnston that the meeting is being recorded.

Mr. Johnston addressed the fact that about 1/3 of his faxes don't appear to have been received by the Division for the Board to review. Mr. Johnston asked for an explanation. Mr. Johnston distributed a letter to Board members and Division Staff.

**Ms. Taxin explained that the Susan and Debbie, the Probation and URAP, get so many pieces of information each day that sometimes the information does not get to her before it is filed or before a Board meeting. Although, Ms. Taxin stated the Division received his paperwork.**

**Mr. Workman asked Mr. Johnston if he had anything he would like to report to the Board. Mr. Workman acknowledged that Mr. Johnston's letter requesting adaptations to his requirements was a very nice.**

Mr. Johnston responded that his letter explained his thoughts better than he could. Mr. Johnston stated that he is feeling that he has moved ahead in his life to where he no longer needs the scrutiny of the Board. Mr. Johnston stated that he has made mistakes, but has been candid with the Board. Mr. Johnston stated that his letter is requesting the Board to eliminate the requirement to attend AA meetings and reduce or eliminate the therapy requirement. Mr. Johnston stated that the therapist, Dr. Poulton, is supportive of reducing or eliminating the therapy. Mr. Johnston stated that he started therapy on his own prior to being required by his Stipulation and Order and does not plan to stop therapy but would like it to be more on an as needed basis. Mr. Johnston stated that he is feeling good about his life except for the probation and is feeling frustration as the probation is holding him back

from some things he would like to do, such as apply for a different employment position. Mr. Johnston then requested the Board to consider early termination of his probation.

**Ms. Taxin responded that Mr. Johnston asked 3 different questions:**

- 1. Terminating the AA meetings.**
- 2. Terminating Counseling.**
- 3. Terminating Probation.**

**Dr. Gaede made a motion to terminate the AA requirement and the Counseling requirement. Ms. Protzman seconded the motion. The Board vote was unanimous.**

**Ms. Taxin stated that the Board may discuss the termination of probation but Mr. Johnston will need to send a formal request for termination and the Board could review the request at the July 19, 2006 meeting. Mr. Johnston would need to meet with the Board in July for the final probationary appointment.**

**Ms. Taxin asked if any Board members have any questions or concerns.**

**Ms. Taxin recommended that Mr. Johnston use his therapist as a resource if problems arise or for support.**

Mr. Johnston responded that he plans to continue therapy with Dr. Poulton.

**Dr. Gaede requested Mr. Johnston submit a statement regarding his progress and recommendation and support for termination of probation.**

**Ms. Taxin stated that if there is an issue that arises, she would hope that Dr. Poulton knows that he can call her. Ms. Taxin requested Mr. Johnston to ask Dr. Poulton to submit a final report although it is not required to terminate probation. Ms. Taxin stated that it would be good to have a final report stating support for termination of probation.**

**Dr. Gaede remarked that Mr. Johnston can bring the letter with him to the appointment in July.**

**Ms. Taxin commented that the goal of the Board is not to be punitive or to punish but to be sure he is a safe practitioner and that the public is safe. Ms. Taxin stated that she and the Board can see that Mr. Johnston is now clean and the public would not be harmed. Ms. Taxin suggested Mr. Johnston write a letter regarding his progress, the support he received from his therapist and AA meetings and then request termination.**

**Mr. Workman commented on the progress the Board has noticed that Mr. Johnston has made.**

Mr. Johnston expressed his gratitude to the Board for patiently working with him and his thanks for the words of encouragement. Mr. Johnston stated that the process has been very difficult for him.

**An appointment was made for Mr. Johnston to meet again July 19, 2006.**

Mr. Johnston stated that he is no longer dealing with some of the concerns he originally had about treatment. He stated he is going to apply for a position with an adolescent treatment center.

**Ms. Miley commented that watching Mr. Johnston go through the probationary process has made her a firm believer in what therapy can do and she is of the opinion that the process will help Mr. Johnston to be a better therapist.**

**10:00 A.M.**

Brandon Condie, Application and Education Review for Professional Counselor Intern Licensing

Mr. Condie met for the review of his application and education.

Dr. Gaede notified Mr. Condie that the meeting is being recorded.

Board members and Division Staff were introduced to Mr. Condie.

**Ms. Taxin explained that Mr. Condie applied for the Certified Professional Counselor Intern license**

**but his education does not meet the Utah requirements. Ms. Taxin stated that Mr. Condie might qualify for the Certified Professional Counselor Extern license.**

**Ms. Protzman stated that she reviewed Mr. Condie's application, transcripts and syllabi and determined Mr. Condie is deficient in several specific areas.**

Mr. Condie responded that he reviewed the Laws and Rules and is of the opinion that his coursework does meet the Utah requirements. Mr. Condie stated that there was cross over in his courses so that the name may not be specific but the content description will document the requirements have been met.

**Ms. Taxin stated that the when the Law and Rule is specific, the course must be specific and Mr. Condie will be required to complete the courses where he is deficient.**

**Ms. Protzman stated that Mr. Condie is deficient in the following areas:**

- 1. Deficient 2 semester hours or 3 quarter hours in the area of Professional Roles and Standards.**
- 2. Deficient 2 semester hours or 3 quarter hours in the area of Psychopathology and DSM Classification.**
- 3. Deficient 2 semester hours or 3 quarter hours in the area of Tests and Measurement Theory.**
- 4. Deficient 2 semester hours or 3 quarter hours in the area of Advanced Assessment of Mental Status.**

Mr. Condie requested he be granted the Professional Counselor Extern license to obtain the courses required for the Intern license.

**The Board recommended the Professional Counselor Extern license be issued.**

appointment.

Ms. Taxin stated that if Mr. Nelson does not appear, he will be out of compliance and the Board and Division will need to discuss what action to take.

11:40 am, the Board Secretary listened to her voice mail for a phone call from Mr. Nelson. She reported that Mr. Nelson called late on May 23, 2006 to say he could not find his letter for the time and will arriving sometime on May 24 for his meeting with the Board.

1:32 pm, Mr. Nelson has not yet arrived.

**Ms. Taxin reported that the Division received a letter stating acknowledging reading and supporting the Memorandum of Understanding from Troy Faddis, the LMFT supervisor but no monthly reports have been submitted as requested in March. Ms. Taxin stated that she reviewed the Memorandum of Understanding and it says that reports are due monthly for 6 months from the employer and the supervisor. Ms. Taxin stated that Mr. Nelson is also required to obtain 20 hours of CE and, to date, nothing has been submitted for approval. Ms. Taxin stated that Mr. Nelson is licensed as an Extern and she is not aware if he is taking classes. Ms. Taxin stated that Mr. Nelson is in the Psychology program for Texas and plans to relocate to Colorado to work as the Dean of a school. Ms. Taxin recommended an appointment be made for Mr. Nelson to meet with the Board in July.**

**Dr. Gaede remarked that the Board was going to discuss termination of probation if Mr. Nelson attended the meeting today as Mr. Nelson plans to move to Colorado in July.**

**Ms. Taxin agreed that a discussion on termination is premature at this time due to Mr. Nelson not showing for his appointment.**

**Ms. Taxin suggested an appointment be made for Mr. Nelson to meet in July with notification to be on time, all reports to be submitted and notification that termination of probation is not an option at**

**this time.**

**Mr. Workman asked if Mr. Nelson could surrender his license.**

**Ms. Taxin responded that Mr. Nelson may surrender his license. However, she stated that when a license is surrendered the Division reports it to the Federal data base and the individual cannot work in any agency that receives Federal funding until the surrender is taken off which restrict where the individual is able to work.**

**11:15 A.M.**

Dave Geary, AAG, Available for Education  
Review and Discussion

Dave Geary, AAG, joined the Board.

Ms. Taxin explained that Mr. Geary is available during the education review of the applications to answer any legal questions the Board may have. Ms. Taxin stated that lately the Division has received applications from applicants in which their degree or coursework does not meet the Law requirement exactly but that it appears that some of the applicants are qualified and the hold up is a language difference. Ms. Taxin stated that the goal of the Division and the Board is to license people and if course work is close the Board should consider it. She stated that if the course work is not close, the Division and the Board would then have legal justification to deny the application.

Mr. Geary stated that each application should be reviewed individually to determine if the education or course description meets the Utah requirements.

Ms. Protzman asked if the Division and Board may request a BCI report to document the applicant did not falsify the application in regards to their background.

Mr. Geary responded that if there is sufficient evidence in the application to warrant a BCI report, the Division or the Board may request one. Mr. Geary stated that a BCI report should not be requested for any legal issue over 20 years old. He stated that the BCI report may be requested for issues 10 years or less.

Ms. Taxin responded that any legal issues 20 years

old, etc. of a sexual nature or murder a BCI report would be requested. Ms. Taxin stated that we have to trust people to be honest on their application.

Mr. Geary explained that legal issues may be in the process of being expunged and those would not be required to be disclosed. Mr. Geary stated that many individuals are counseled by their attorney's and the Judges that they are not required to report if they have not been convicted of anything.

Ms. Taxin asked if the Board would recommend the required 4000 hours of mental health therapy be accepted for Professional Counselor versus other mental health professions licensing for example, if the 4000 hours were obtained while licensed as a MFT Intern.

Mr. Geary responded that the Board could make a recommendation to accept the hours.

#### **NEW APPLICATIONS:**

Blaine Edwards, Professional Counselor  
Extern

Mr. Searle and Ms. Protzman reviewed Mr. Edwards' education to determine if it meets the requirements for licensure as a Professional Counselor Extern. Mr. Searle and Ms. Protzman noted that Mr. Edwards's degree is a Master of Arts in Counseling and Educational Psychology.

**Mr. Searle and Ms. Protzman determined Mr. Edwards is deficient in the following areas:**

- 1. Deficient 2 semester or 3 quarter hours in the area of Professional Roles and Standards.**
- 2. Deficient 2 semester hours or 3 quarter hours in the area of Individual Counseling Theory.**
- 3. Deficient 6 semester or 9 quarter hours in the area of Human Growth and Development.**
- 4. Deficient 6 semester hours or 9 quarter hours in the area of Therapeutic Methods and Interventions**
- 5. Deficient 2 semester hours or 3 quarter hours in the area of Psychopathology and DSM Classification.**



- 6. Deficient 2 semester hours or 3 quarter hours in the area of Advanced Assessment of Mental Status.**
- 7. Deficient 3 semester hours or 4.5 quarter hours in the area of Research and Evaluation**
- 8. Deficient 6 semester hours or 9 quarter hours in the area of Internship.**

**The Board recommended the application for Professional Counselor Extern license be denied based on Mr. Edwards lacking the core courses to practice safely as a Professional Counselor Extern.**

Mary Fisher, Professional Counselor Extern

Mr. Workman reviewed Ms. Fisher's education to determine if it meets the requirements for licensure as a Professional Counselor Extern. Mr. Workman noted that Ms. Fisher's degree is a Master of Arts in Community Counseling.

**Mr. Workman determined Ms. Fisher is deficient in the following area:**

- 1. Deficient 2 semester hours or 3 quarter hours in the area of Dysfunctional Behavior.**
- 2. Deficient 2 semester hours or 3 quarter hours in the area of Advanced Assessment of Mental Status.**

**The Board recommended the Professional Counselor Extern license be issued.**

Gregory Martin, Professional Counselor Extern

Ms. Protzman reviewed Mr. Martin's education to determine if it meets the requirements for licensure as a Professional Counselor Extern. Ms. Protzman noted that Mr. Martin's degree is a Master of Arts in Transition Counseling Psychology.

**Ms. Protzman determined Mr. Martin is deficient in the following areas:**

- 1. Deficient 2 semester hours or 3 quarter hours in the area of Professional Roles and Standards.**
- 2. Deficient 2 semester hours or 3 quarter hours in the area of Individual Counseling Theory.**
- 3. Deficient 6 semester hours or 9 quarter hours in the area of Human Growth and**

**Development.**

- 4. Deficient 3 semester hours or 4.5 hours in the area of Cultural Foundations.**
- 5. Deficient 6 semester hours or 9 quarter hours in the area of Therapeutic Methods and Interventions.**
- 6. Deficient 2 semester hours or 3 quarter hours in the area of Psychopathology and DSM Classification.**
- 7. Deficient 2 semester hours or 3 quarter hours in the area of Tests and Measurement Theory.**
- 8. Deficient 2 semester hours or 3 quarter hours in the area of Advanced Assessment of Mental Status.**
- 9. Deficient 3 semester hours or 4.5 quarter hours in the area of Research and Evaluation.**
- 10. Deficient 6 semester hours or 9 quarter hours in the area of Internship.**

**The Board recommended the application for Professional Counselor Extern license be denied based on Mr. Martin lacking the core courses to practice safely as a Professional Counselor Extern.**

Laura A. Crosetti, Certified Professional Counselor Intern

Ms. Crosetti sent a letter with an application stating that she did not complete the practicum component and requesting the Board to review and consider waiving the practicum based on the coursework she has completed.

Dr. Gaede reviewed Ms. Crosetti's education to determine if it meets the requirements for licensure as a Professional Counselor Extern. Dr. Gaede noted that Ms. Crosetti was previously denied licensed as she was deficient in the following areas:

1. Deficient 2 semester hours or 3 quarter hours in the area of Professional Roles and Standards.
2. Deficient 2 semester hours or 3 quarter hours in the area of Advanced Assessment of Mental Status.
3. Deficient 3 semester hours or 4.5 quarter hours in the area of Practicum.

**Dr. Gaede noted Ms. Crosetti has completed the**

**following deficiencies:**

- 1. Completed the 2 semester hours in the area of Professional Roles and Standards.**
- 2. Completed the 2 semester hours in the area of Advanced Assessment of Mental Status.**

**Dr. Gaede determined Ms. Crosetti is still deficient in the following area:**

- 1. Deficient 3 semester hours or 4.5 quarter hours in the area of Practicum.**

**The Board recommended the Certified Professional Counselor Intern application be denied until Ms. Crosetti is able to document completion of the practicum as all required education must be documented.**

Janette Davenport, Certified Professional Counselor Intern

Dr. Gaede reviewed Ms. Davenport's education to determine if it meets the requirements for licensure as a Certified Professional Counselor Intern. Dr. Gaede noted that Ms. Davenport's degree is a Master of Science in Counseling Psychology.

**Dr. Gaede determined Ms. Davenport is deficient in the following areas:**

- 1. Deficient 2 semester hours or 3 quarter hours in the area of Professional Roles and Standards.**
- 2. Deficient 2 semester hours or 3 quarter hours in the area of Individual Counseling Theory.**
- 3. Deficient 3 semester hours in the area of Human Growth and Behavior. Ms. Davenport has completed 3 semester hours in this area.**
- 4. Deficient 6 semester hours or 9 quarter hours in the area of Therapeutic Methods and Interventions.**
- 5. Deficient 2 semester hours or 3 quarter hours in the area of Psychopathology and DSM Classification.**
- 6. Deficient 2 semester hours or 3 quarter hours in the area of Advanced Assessment of Mental Status.**
- 7. Deficient 3 semester hours or 4.5 quarter hours in the area of Research and Evaluation.**

**The Board recommended the application for Certified Professional Counselor Intern license be denied based on Ms. Davenport lacking the required courses.**

**If Ms. Davenport applies for the Professional Counselor Extern license, the Board recommended the Extern license be denied based on Ms. Davenport lacking the core courses to practice safely as a Certified Professional Counselor Extern.**

Benjamin Richard Erwin, Certified  
Professional Counselor Intern

Mr. Erwin met with the Board during the review of his application.

The Board noted that Mr. Erwin's degree is a Master's degree in Counseling and Guidance. The board further noted that Mr. Erwin is currently in the PhD program for MFT at Brigham Young University.

**The Board determined Mr. Erwin is deficient in the following area:**

- 1. Deficient 2 semester hours or 3 quarter hours in the area of Advanced Assessment of Mental Status.**

**The Board recommended licensure as a Professional Counselor Extern.**

**Ms. Taxin asked Mr. Erwin if he would be taking the class to meet the requirement for Certified Professional Counselor Intern licensing.**

Mr. Erwin responded that he would take the class if he is not approved for the Certified Marriage and Family Therapy Intern license as he is planning to be licensed as a Marriage and Family Therapist. Mr. Erwin stated that he would decide if he wants the Professional Counselor Extern license after he meets with the MFT Board on June 2, 2006.

Mr. Erwin asked if the Professional Counselor Intern hours and the MFT Intern hours could be accepted for both professions or would he be required to obtain 4000 hours for each.

**The Board responded that the Professional**

**Counselor Intern hours could be obtained under the supervision of an MFT.**

**Ms. Taxin recommended that if Mr. Erwin decides to apply for the Professional Counselor Intern license that he obtain experience in professional counseling.**

**Ms. Taxin explained that while Mr. Erwin is licensed as a Professional Counselor Extern he may work under supervision but none of the hours will count toward the required mental health therapy hours until he completes the education and is licensed as a Certified Professional Counselor Intern.**

David Whitaker, Professional Counselor

Ms. Taxin explained that Mr. Whitaker has a PhD in Psychology, was licensed as a Psychology Resident to obtain his required Psychology experience hours and to take the required Psychology Examinations. Ms. Taxin stated that Mr. Whitaker has submitted an application for Professional Counselor in order to work until he has completed the Psychology and Professional Counselor examinations. Ms. Taxin stated that Mr. Whitaker is requesting the Psychology Resident experience count as the required 4000 hours of Certified Professional Counselor Intern experience.

**Mr. Workman reviewed Mr. Whitaker's education and determined Mr. Whitaker is deficient in the following areas:**

- 1. Deficient 2 semester hours or 3 quarter hours in the area of Professional Roles and Standards.**
- 2. Deficient 2 semester hours or 3 quarter hours in the area of Dysfunctional Behavior.**

**Based on the deficient courses, the Board approved Mr. Whitaker to be licensed as Professional Counselor Extern. The Board determined the Psychology Resident hours will not count as Mr. Whitaker must complete the education and be licensed as a Certified Professional Counselor Intern before starting the required hours.**

**The Board requested Mr. Whitaker be invited to meet at the July 19, 2006 Board meeting for**

**discussion regarding his education and his licensing intentions.**

**DISCUSSION ITEMS:**

Legislative Update

Ms. Taxin stated that there were no changes in the Professional Counselor Law at the 2006 Legislative session.

Law and Rule Examination

Ms. Taxin reported that the Division is taking away the Laws and Rules examinations from the testing agency due to several issues.

Ms. Taxin explained that the Professional Counselor Law and Rule examination will still be required until there is a change in the Rule.

Ms. Taxin reported that the Division has created a statement to be included in all applications for the applicants to sign. Ms. Taxin reported that the statement reads:

Compliance with Utah Laws and Rules:  
I understand that it is my continuing responsibility to read, understand and apply the requirements contained in all statutes and rules pertaining to the occupation or profession for which I am applying, and that failure to do so may result in civil, administrative, or criminal sanctions.

Ms. Taxin explained that the applicant must sign and date that they have read the statement which holds them responsible for knowing the Laws and Rules.

Ms. Taxin stated that at a later date the Board may decide to write some questions to be included in the application.

FYI – Notification of Rule Change

Ms. Taxin notified the Board that she has submitted the change in the Rule to document the new Code of Ethics.

**The Board thanked Ms. Taxin.**

Mental Health Therapy Minutes from February 28, 2006 Meeting

The Minutes from the February 28, 2006 Mental Health Therapy Boards and Substance Abuse Counselors Board were distributed to Board members

for review.

Ms. Taxin requested Board members to be prepared to make revisions or to approve the minutes at the next scheduled Board meeting.

#### Clarification of Extern Scope of Practice Question

Ms. Taxin explained that she has been asked if a Professional Counselor Extern may diagnose. Ms. Taxin stated that she responded that the Extern may diagnose if they have the Extern license and are under supervision of a licensed Mental Health Therapist.

#### **Board members concurred.**

#### Clarification of Education Question

Ms. Taxin explained that Webster University has contacted her stating they want to introduce a professional counselor program which will not be CACREP accredited and asked for a written confirmation that the graduated students will be allowed licensing in Utah.

Ms. Taxin stated that she responded by giving the education requirements and referring them to the Utah website and Laws and Rules regarding the education requirements.

**Mr. Geary, AAG, responded that Ms. Taxin was correct in referring to the website and Laws and Rules as we cannot guarantee licensing without the complete application documenting meeting the requirements.**

**Mr. Geary stated that if the education is not CACREP accredited when the individual graduates there is risk that the graduates would not meet the requirements to be licensed.**

Ms. Taxin responded that she informed Webster University that they should get the CACREP accreditation.

Ms. Taxin stated that Webster University asked how Utah could accept coursework from the University of Utah as it does not have a CACREP accredited program. Ms. Taxin stated that she responded that applicants who are deficient specific courses are allowed to complete those deficiencies at the

University of Utah because specific courses have been evaluated and they meet Utah requirements.

Ms. Taxin stated that the University of Utah does not have a CACREP accredited program. She stated that Utah has accepted the University of Utah Educational Psychology program only if the courses meet the Professional Counselor education requirements.

**Ms. Protzman clarified that even the CACREP accredited programs must meet the education requirements of Utah Rules.**

**Mr. Geary stated that the Division would have to say to Webster University that the curriculum would have to be reviewed on an individual basis when a complete application is received.**

Ms. Taxin asked the Board to clarify if a Marriage and Family Therapy Intern and a Certified Professional Counselor Intern may count the 4000 hours in mental health therapy experience for both professions.

**The Board responded that the hours may count for both licenses if the supervision is appropriate and relevant to Professional Counselor practice.**

## **CORRESPONDENCE:**

Don Beck

The Board reviewed Dr. Beck's request for clarification on who may conduct custody evaluations.

Ms. Taxin explained that she talked with Dr. Beck and stated that the Licensed Professional Counselor and the Licensed Clinical Social Worker could be considered equal licenses, however, custody evaluations and any counseling cannot be from the same person. Ms. Taxin concluded that if a licensee has the education and is trained on how to do custody evaluations, they can do the evaluations.

**Board members concurred.**

AASCB

The Board reviewed the AASCB request for an update regarding the Board's efforts on behalf of Portability and Working with NCR. **No Board action was taken.**



NCC Newsletter

The Board reviewed the NCC Newsletter. **No Board action was taken.**

**NEXT MEETING SCHEDULED FOR:**

July 19, 2006

**MEETING ADJOURNED AT:**

1:43 P.M.

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Date Approved

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Chairperson, Utah Professional Counselors Licensing Board

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Date Approved

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Bureau Manager, Division of Occupational & Professional Licensing